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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,467	06/20/2001	Jeffrey A. Bedell	53470.003030	9623

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EXAMINER

WASSUM, LUKE S

ART UNIT

PAPER NUMBER

2167

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/884,467

Applicant(s)

BEDELL ET AL.

Examiner

Luke S. Wassum

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The Applicants' amendment, filed 16 January 2007, has been received, entered into the record, and considered.
2. As a result of the amendment, claims 1 and 7 have been amended. Claims 1-27 remain pending in the application.

The Invention

3. The claimed invention is a method for capturing statistical information regarding the operation of a business intelligence reporting system, and generating reports based upon the captured statistical information.

Claim Objections

4. In view of the amendment to claim 1, the pending claim objections have been withdrawn.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-27 are rejected under 35 U.S.C. 102(a) as being anticipated by **Hahn et al.** ("Capacity Planning for Business Intelligence Applications: Approaches and Methodologies").

7. Regarding claim 1, **Hahn et al.** teaches a computer-implemented method for capturing at least one statistic or data regarding performance operation of a business intelligence reporting system that generates business intelligence reports based on requests submitted to perform analysis of data contained in a database as claimed, the process comprising the steps of:

a) gathering at least one statistic or data related to the performance operation of the reporting system while the reporting system is operating (see disclosure of the System Management Facility which measures various aspects of the work running in the system, such as measures of system resources utilized;

for instance, CPU time, storage, I/O devices, and service units; see section

5.1.1 System Management Facility (SMF), pages 65-66 et seq.); and

- b) generating at least one output based on the gathered at least one statistic or data (see disclosure of the Resource Management Facility, which can generate reports summarizing key resources, including the CPU Activity Report and the Workload Activity Report; see section 5.1.2 Resource Management Facility (RMF), page 66 et seq.).

8. Regarding claim 10, **Hahn et al.** teaches a system for capturing at least one statistic or data regarding performance of a business intelligence report system that generates business intelligence reports based on requests submitted to perform analysis of data contained in a database as claimed, the system comprising:

- a) gathering means for gathering at least one statistic or data related to the performance operation of the reporting system while the reporting system is operating (see disclosure of the System Management Facility which measures various aspects of the work running in the system, such as measures of system resources utilized; for instance, CPU time, storage, I/O

devices, and service units; see section 5.1.1 System Management Facility (SMF), pages 65-66 et seq.); and

- b) generating means for generating at least one output based on the gathered at least one statistic or data (see disclosure of the Resource Management Facility, which can generate reports summarizing key resources, including the CPU Activity Report and the Workload Activity Report; see section 5.1.2 Resource Management Facility (RMF), page 66 et seq.).

9. Regarding claim 19, **Hahn et al.** teaches a medium storing code for causing a processor to capture at least one statistic or data regarding performance operation of a business intelligence reporting system that generates business intelligence reports based on requests submitted to perform analysis of data contained in a database as claimed, the medium comprising:

- a) code for causing a processor to gather at least one statistic or data related to the performance operation of the reporting system while the reporting system is operating (see disclosure of the System Management Facility which measures various aspects of the work running in the system, such as measures of system resources utilized; for instance, CPU time, storage, I/O

devices, and service units; see section 5.1.1 System Management Facility (SMF), pages 65-66 et seq.); and

- b) code for causing a processor to generate at least one output based on the gathered at least one statistic or data (see disclosure of the Resource Management Facility, which can generate reports summarizing key resources, including the CPU Activity Report and the Workload Activity Report; see section 5.1.2 Resource Management Facility (RMF), page 66 et seq.).

10. Regarding claims 2, 11 and 20, **Hahn et al.** teaches a method, system and medium storing code further comprising the step of providing the output to an end user (see disclosure of the Resource Management Facility, which can generate reports summarizing key resources, including the CPU Activity Report and the Workload Activity Report; see section 5.1.2 Resource Management Facility (RMF), page 66 et seq.; see also disclosure of the DB2 Performance Monitor which allows a user to view recent events and a wide variety of reports for in-depth analysis; see section 5.1.3 DB2 Performance Monitor, pages 66-67 et seq.).

11. Regarding claims 3, 12 and 21, **Hahn et al.** teaches a method, system and medium storing code further comprising the step of storing the at least one gathered statistic or data in a database accessible by the reporting system for generating reports utilizing the gathered statistic or data (see disclosure that statistics are stored in SMF records, section 5.1.1 System Management Facility (SMF), pages 65-66 and section 5.1.2 Resource Management Facility (RMF), page 66).
12. Regarding claims 4, 13 and 22, **Hahn et al.** teaches a method, system and medium storing code further comprising the step of providing the output to an end user in real-time, enabling the end user to analyze the reporting system in real-time (see disclosure of the DB2 Performance Monitor which allows a user to view recent events and a wide variety of reports for in-depth analysis; see section 5.1.3 DB2 Performance Monitor, pages 66-67 et seq.).
13. Regarding claims 5, 14 and 23, **Hahn et al.** teaches a method, system and medium storing code further comprising the step of analyzing the output, where analyzing the output comprises using at least one of a decision support technique or a decision support software (see disclosure that the information collected can be used to

support capacity planning on system usage, section 5.1.1 System Management Facility (SMF), pages 65-66).

14. Regarding claims 6, 15 and 24, **Hahn et al.** teaches a method, system and medium storing code where the at least one statistic or data is related to at least one of metadata usage, server usage, concurrency data, overall system usage, individual user activity, report usage data, report definition data, standard query language data, object usage data, and database usage data (see disclosure of the System Management Facility which measures various aspects of the work running in the system, such as measures of system resources utilized; for instance, CPU time, storage, I/O devices, and service units; see section 5.1.1 System Management Facility (SMF), pages 65-66 et seq.).

15. Regarding claims 7, 16 and 25, **Hahn et al.** teaches a method, system and medium storing code further comprising the step of allocating costs of report system usage to a user of the reporting system based on the at least one output (see disclosure that recorded system- and job-related information collected can be used to bill users, section 5.1.1 System Management Facility (SMF), pages 65-66).

16. Regarding claims 8, 17 and 26, **Hahn et al.** teaches a method, system and medium storing code wherein the reporting system is an OLAP system (see disclosure that a Business Intelligence system can be 3-tiered, page 7, last paragraph; see illustration of the 3-tiered Business Intelligence system, including an OLAP server, Figure 4, page 8; see also disclosure the CPU utilization profile of an OLAP Business Intelligence system, Figure 9, page 57).

17. Regarding claims 9, 18 and 27, **Hahn et al.** teaches a method, system and medium storing code wherein usage statistics are collected and used in tuning the settings of the system in order to optimize performance (see disclosure that recorded system- and job-related information collected can be used for performance tuning, section 5.1.2 Resource Management Facility (RMF), page 66).

Response to Arguments

18. Applicant's arguments with respect to the rejection(s) of claim(s) 1-27 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly discovered prior art.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cramon et al. (U.S. Patent Application Publication 2002/0103660) teaches a system for conducting electronic business transactions, and including mechanisms supporting business intelligence (see paragraph [0534]) and statistics gathering (see paragraph [0414]).

IBM[1] ("OS/390 Resource Measurement Facility Performance Management Guide") discloses the use of the Resource Management Facility to generate reports on resource usage, evaluate system performance and identify reasons for performance problems.

IBM[2] ("OS/390 Resource Measurement Facility User's Guide") teaches the Resource Measurement Facility, what it can do, and how to use RMF sessions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke S. Wassum whose telephone number is 571-272-4119. The examiner can normally be reached on Monday-Friday 8:30-5:30, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

In addition, INFORMAL or DRAFT communications may be faxed directly to the examiner at 571-273-4119. Such communications must be clearly marked as INFORMAL, DRAFT or UNOFFICIAL.

Customer Service for Tech Center 2100 can be reached during regular business hours at (571) 272-2100, or fax (571) 273-2100.

Art Unit: 2167

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Luke S. Wassum
Primary Examiner
Art Unit 2167

lsw

8 March 2007